

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 20-CR-232-JRT-KMM

Plaintiff,

v.

(1) Russell Jason Rahm; (2) Terry Lynn Chistensen; (3) Jannice Kristina Laur; (4) Petra Jinette Laboy; (5) David John Moulder; (6) Anthony Eugene Moulder; (7) Rhonda Jean Moulder; (8) Barbara Ann Moulder; (9) Luis Orlando Mendizabal; (10) Jeffrey Lee Smoliak; (11) John Michael Blalock; (12) Lloyd Joseph Loftis; (13) Bryant Jarode Critten; (14) Natesha Jahmelia Marson; (15) Thomas Athanasios Kiritsis; (16) Daniel Morris Klibanoff; (17) Brian Douglass Cox; (18) John Thomas Harbert, III; (19) Amondo Antoine Miller; (20) Kiley Marie Saindon; (21) Henry Aragon; (22) Lucille J. Patterson; (23) James Anthony Sierra; (24) Tara Nicole Creason; (25) Yvonne Patterson; (26) Charitie A. Seelye; (27) Bonnie Lee Colbert; (28) Jennifer Lynn Williamson; (29) Jessica Marie Prince; (30) Brian James Williams; (31) Tashena Lavera Crump; (32) Jared Thomas Michelizzi; (33) Eric Patrick McGarrity; (34) Andrew John Landsem; (35) Ballam Hazeakiah Dudley; (36) Caitlin Colleen Schlusser; (37) Monica Sabina Sharma-Hanssen; (38) Timothy Paul Hanssen; (39) Corlos Kentrell Smith; (40) Stacey Leigh Persons; (41) Patricia Nichole Shinn; (42) Leeann Garcia; (43) Erich Stephen Esherick,

Defendants.

**THIRD AMENDED
SCHEDULING ORDER**

Defendant Monica Sabina Sharma-Hanssen (“Ms. Hanssen”) has filed a Motion to Modify Second Amended Scheduling Order (ECF 758). Specifically, Ms. Hanssen seeks a thirty-day extension of the deadline for filing pretrial motions in this case from August 16, 2021, until September 16, 2021. The Motion also contemplates a corresponding adjustment to the other deadlines that follow and adjusted motion-filing deadline. Ms. Hanssen supports the request with a robust showing of good cause. Specifically, her counsel explains that review of the voluminous discovery has taken longer than previously anticipated, and difficulties in reviewing and formatting forensic images of a number of electronic devices that were seized during the investigation has contributed to the need for additional time. Defense counsel have been working diligently to address the problem and have coordinated their efforts with a discovery-support firm and the government. Moreover, counsel for Ms. Hanssen has communicated with the attorneys for sixteen other Defendants regarding the relief sought. None have objected and most have joined in the request for additional time. The government has no objection to the relief sought. The Court also notes that because it has already excluded time through September 30, 2021, and this case is being treated as complex under the Speedy Trial Act, no additional exclusion of time is necessary.

Given the complexities of this matter and the related litigation, any adjustment of the schedule will be applied to all of the defendants across all cases. Good cause for the requested extension has been shown. Therefore, the Court finds that the requested extension of the pretrial schedule is appropriate, and the below deadlines are adopted.¹ **However, counsel are advised that no further extensions of the pretrial motion schedule will be granted absent a uniquely strong showing of good cause.**

¹ The Court notes that many defendants in this matter have already entered guilty pleas. They are therefore unlikely to be impacted by this amended schedule and can disregard it.

I. PRETRIAL DEADLINES/DISCOVERY AND DISCLOSURE ORDER

1. All pretrial motions must be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47, and Local Rule 12.1(c)(1), **on or before September 16, 2021.**

If counsel for any defendant is unable to meet this deadline, he or she must seek a modification of the schedule **by no later than September 2, 2021.**

3. It is unknown at this time whether the Court will continue to hold hearings via videoconference by the time a pretrial motions hearing is held in this matter. Nonetheless, out of an abundance of caution, counsel for each defendant must electronically file a letter indicating whether their client consents to hold the motions hearing in this matter via video conference **by September 16, 2021.**

4. Counsel must electronically file a letter **on or before September 16, 2021**, if no motions will be filed and there is no need for a hearing.

5. The government's responses to all pretrial motions **must be filed by October 18, 2021.**

6. The government shall file its Notice of Intent to Call Witnesses **by November 12, 2021**, in accordance with D. Minn. LR 12.1(c)(3)(A). In order to avoid the need for a recess of the motions hearing, the government must make all disclosures which will be required by Fed. R. Crim. P. 26.2 and 12(h) **by November 22, 2021**, if they have not already been provided to opposing counsel.

7. Any Responsive Notice of Intent to Call Witnesses on behalf of any defendant **must be filed by November 19, 2021.** D. Minn. LR 12.1(c)(3)(B).

II. CONCLUSION

Consistent with the foregoing, Ms. Hanssen's motion to modify the schedule is **GRANTED** as set forth in this Third Amended Scheduling Order. All other terms and conditions remain in full force and effect. Counsel for both sides are again advised that further requests for extension of the pretrial motion schedule in this case are unlikely to be granted absent an even greater showing of good cause.

Date: August 2, 2021

s/Katherine Menendez
Katherine Menendez
United States Magistrate Judge